

**CONSENT AGENDA  
JUNE 14, 2010**

**A. APPROVAL OF MINUTES**

- 1. SUBJECT: APPROVAL OF MINUTES DATED  
FEBRUARY 8, FEBRUARY 22, MARCH 1, and  
MARCH 8, 2010**

ISSUE/PURPOSE: The above listed minutes are before the  
Board for approval. See TAB **B**.

**B. APPROPRIATIONS AND TRANSFERS**

- 1. SUBJECT: CLERK OF CIRCUIT COURT**

**A-FY-10-  
CLERK OF CIRCUIT COURT  
TECHNOLOGY TRUST FUND**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

251	Clerk of Circuit Court	\$9,494
-----	------------------------	---------

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
02250-423100 Shared Expenses	\$9,494

Said resolution appropriates Technology Trust fund monies to cover the cost of technology equipment for the Clerk's office.

ISSUE/PURPOSE: Appropriate Technology Trust fund monies.

JUSTIFICATION: This resolution appropriates Technology Trust fund monies to cover the cost of a printer maintenance kit and battery pack, one new workstation, four battery packs, one server, access licenses, and toner cartridges (\$9,008) for the Clerk's office.

**2. SUBJECT: COMPREHENSIVE SERVICES ACT  
SUPPLEMENTAL APPROPRIATION**

**A-FY-10-  
COMPREHENSIVE SERVICES ACT  
SUPPLEMENTAL APPROPRIATION**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

510	Comprehensive Services Act	\$13,905
-----	----------------------------	----------

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

02510-424445	Comprehensive Services Act	\$13,905
--------------	----------------------------	----------

Said resolution appropriates funds to equal the allocation from the State for the Comprehensive Services Act.

**ISSUE/PURPOSE:** Appropriate Comprehensive Services Act funds.

**JUSTIFICATION:** This resolution provides funds necessary to reconcile the appropriation to the Comprehensive Services Act state allocation. Historically, the County's match rate on CSA funding has been 28.34%. In FY 09, the state changed the match rate to vary by type of service provided. It is estimated that the County's match rate for costs incurred for FY 10 placements will be 25.07%. The required local match on this reconciliation can be absorbed by CSA's existing county funding allocation.

3. **SUBJECT: HUMAN RESOURCES DEPARTMENT  
WELLNESS –HEALTH CLINIC – TRANSFER  
FROM GENERAL CONTINGENCIES (Balance  
in General Contingencies before approval of this  
resolution is \$255,622)**

**A-FY-10-  
HUMAN RESOURCES DEPARTMENT  
WELLNESS-HEALTH CLINIC  
TRANSFER FROM GENERAL CONTINGENCIES**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

**FROM:**

950 General Contingencies (\$14,000)

**TO:**

110 Human Resources  
Wellness-Health Clinic \$14,000

Said resolution transfers funds from General Contingencies to the Human Resources Department to cover a portion of the cost of the County's Health Clinic for FY10.

**ISSUE/PURPOSE:** Transfer of appropriation from General Contingencies to Human Resources.

**JUSTIFICATION:** Due to the timing of payment of invoices for the County's health clinic, invoices covering 11 months of service were paid in FY 09 and invoices covering 13 months of service will be paid in FY 10. Funding only existed for 12 months of invoices. This resolution transfers General Contingencies to cover the additional payment needed in FY 10.

4. **SUBJECT: PARKS AND RECREATION  
DONATIONS AND REGISTRATION FEES**

**A-FY-10-  
PARKS AND RECREATION  
APPROPRIATION OF DONATIONS AND REGISTRATION FEES**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

700 Parks and Recreation \$5,352

The sources of the funds for the foregoing appropriation are as follows:

Revenue Account

416158	Donations	\$2,250
416010	Youth Wellness/Education Fees	<u>\$3,102</u>
	Total	\$5,352

Said resolution appropriates funds received from donations and registration fees collected by Parks and Recreation.

ISSUE/PURPOSE: Appropriates donations and registration fees.

JUSTIFICATION: This resolution appropriates \$2,250 in donations received from local businesses to be used for uniforms; \$2,702 in registration fees from the Kathy Neff 5K run (These funds were collected on behalf of Relay for Life and are appropriated to allow Parks and Recreation to provide a check to the organization); and \$400 to reimburse lifeguards hired by the County (The Parks and Recreation Department offered a rebate to lifeguards who took the lifeguard course that were then hired by the County).

**5. SUBJECT: PARKS AND RECREATION – TRANSFER TO CAPITAL PROJECTS**

**A-FY-10-  
PARKS AND RECREATION  
TRANSFER TO CAPITAL PROJECTS – MOTOR MILE PROJECT**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

**FROM:**

700 Parks and Recreation \$67,500

**TO:**

451209 Transfer to Capital Projects \$67,500

BE IT FURTHER RESOLVED, That the Capital Projects Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010 for the function and in the amount as follows:

127003PR Parks Revitalization Project \$67,500

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451100 Transfer from General Fund \$67,500

Said resolution transfers Parks and Recreation appropriation from the General Fund to the County Capital Projects Fund for capital project management of the Motor Mile Project.

ISSUE/PURPOSE: Transfer of appropriation from Parks and Recreation operating funds to Parks and Recreation capital funds.

JUSTIFICATION: An appropriation was made to the General Fund for capital project management of the Motor Mile Project. The funds should have been appropriated to the County Capital Projects fund due to the nature of the project. This is an administrative transfer to correct the original appropriation.

**6. SUBJECT: REGISTRAR – RECOVERED COSTS**

**A-FY-10-  
REGISTRAR  
RECOVERED COSTS  
TOWN OF CHRISTIANSBURG MAY 2010 ELECTION COSTS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriations for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

170 Registrar \$6,560

The source of funds for the foregoing appropriation is as follows:

Revenue Account:

419108 Recovered Costs \$6,560

Said resolution appropriates recovered costs received from the Town of Christiansburg for the Christiansburg Town election held in May 2010.

ISSUE/PURPOSE: Appropriate funds received from the Town of Christiansburg.

JUSTIFICATION: This resolution appropriates \$6,560 in funds received from the Town of Christiansburg for the Christiansburg Town election held on May 4, 2010. This action will reimburse the department for expenses paid from the Registrar's FY 10 budget.

**7. SUBJECT: SHERIFF – RECOVERED COSTS**

**A-FY-10-  
SHERIFF  
RECOVERED COSTS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

320 Sheriff County	\$4,170
--------------------	---------

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
419108Recovered Costs	\$4,170

Said resolution appropriates recovered costs for use by the Sheriff's office.

ISSUE/PURPOSE: Appropriate sheriff's department recovered costs.

JUSTIFICATION: This resolution appropriates recovered costs from refunds (\$464), security work at area high schools (\$136), and security work at the Virginia Tech Spring Game (\$3,570).

**C. AFD**

**1. SUBJECT: AGRICULTURAL AND FORESTAL  
DISTRICT – ADDITION TO AFD-6 – REFER  
TO AFD ADVISORY COMMITTEE AND  
PLANNING COMMISSION**

**R-FY-10-  
REQUEST FOR ADDITION TO AGRICULTURAL  
AND FORESTAL DISTRICT (AFD-6 SOUTH OF SHAWSVILLE)  
REFER TO AFD ADVISORY COMMITTEE AND PLANNING COMMISSION**

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby refer the following request for addition to an

existing Agricultural and Forestal District (AFD) to the Planning Commission and the AFD Advisory Committee for their action pursuant to Chapter 2, Division 7 of the Montgomery County Code and Title 15.2, Chapter 43 of the Code of Virginia, 1959, as amended:

AFD-6 South of Shawsville

Addition of 20.377 acres owned by Macon C. Sammons, Jr. on Hurst Road (Rt. 782). The property is further identified as tax map parcels 097-A-122 and 097-A-121 (Acct No(s). 020096 and 020097) in the Shawsville Magisterial District (District C).

ISSUE/PURPOSE: Refer to AFD Advisory Committee and Planning Commission.

JUSTIFICATION: Macon Sammons, Jr., desires to add 20.377 acres of property he owns to the AFD. This resolution refers Mr. Sammons' request to the AFD Advisory Committee and Planning Commission.

**D. AGREEMENTS**

**1. SUBJECT: TERMINATE MUTUAL LICENSE AGREEMENT WITH MONTGOMERY REGIONAL SOLID WASTE AUTHORITY**

**R-FY-10-  
RESOLUTION APPROVING THE AGREEMENT  
TO TERMINATE MUTUAL LICENSE AGREEMENT WITH  
MONTGOMERY REGIONAL SOLID WASTE AUTHORITY**

WHEREAS, The Montgomery County Board of Supervisors ("the County") and the Montgomery Regional Solid Waste Authority ("the Authority") entered into a Mutual License Agreement on August 28, 2006, whereby the Authority and County used a portion of each other's land in the vicinity of the Authority offices adjacent to County Drive; and

WHEREAS, The parties no longer have a need to use each other's property so the parties desire to terminate the original Mutual License Agreement.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agree to enter into the Agreement to Terminate the Mutual License Agreement with the Authority in order to terminate the original Mutual License Agreement dated August 28, 2006.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorize Annette S. Perkins, Chair, to execute the Agreement to Terminate the Mutual License Agreement on behalf of the Montgomery County Board of Supervisors.

ISSUE/PURPOSE: Enter into an Agreement to Terminate Mutual License Agreement with Montgomery Regional Solid Waste Authority.

JUSTIFICATION: On August 28, 2006, the County entered into a Mutual License Agreement with Montgomery Regional Solid Waste Authority (MRSWA) in order for both the County and MRSWA to use a portion of each other's property near MRSWA's Offices on County Drive. Currently there is no longer a need to use each other's property. This resolution agrees to enter into a Agreement to Terminate the Mutual License Agreement with MRSWA in order to terminate the original Agreement. See TAB M for a copy of the Agreement to Terminate the Mutual License Agreement with MRSWA.

**E. FINAL PLAT**

**1. SUBJECT: FINAL PLAT – WALNUT CREEK PHASE 4**

**R-FY-10-  
FINAL PLAT – THE PRESERVE (PHASE 4)  
AT WALNUT CREEK SUBDIVISION, LOTS 14-28**

WHEREAS, This phase of The Preserve (Phase 4) at Walnut Creek Subdivision consists of 15 lots (lots 14-28) located off Houchins Road (SR 758) and has been found to meet the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance); and

WHEREAS, A subdivision plat entitled "Plat of Major Subdivision of Lots 1-13, 29-35 and Easement Dedication The Preserve at Walnut Creek A Portion of Tax Parcel Nos. 80-(A)-40 & 42 Prepared for Walnut Creek Development, LLC" (Gay and Neel, Inc. Job No. 1803.5 dated 6/25/08) was previously approved by the Montgomery County Board of Supervisors on October 27, 2008 (R-FY-09-46) and recorded in the Montgomery County's Clerk's Office as Instrument No. 2008011650; and



WHEREAS, The Montgomery County Code, Section 8-156 provides that a subdivider shall make adequate provision for storm and floodwater runoff and that if a subdivision involves new streets, the Virginia Department of Transportation shall determine that adequate provision for runoff will be taken; and

WHEREAS, The Virginia Department of Transportation requires that Montgomery County assume maintenance responsibility and liability that might arise from detention facilities in subdivisions; and

WHEREAS, The Montgomery County Code, Section 8-157 provides for approval by the County of stormwater detention facilities conditioned upon agreement being entered into by the County and a homeowners association whereby the association assumes all liability for the maintenance and operation of the stormwater detention facilities; and

WHEREAS, The developer of The Preserve (Phase 4) at Walnut Creek Subdivision, Lots 14-28, has agreed that said responsibility shall be assumed by the homeowners association.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Final Plat of The Preserve (Phase 4) at Walnut Creek Subdivision Lots 14-28 (Gay and Neel, Inc. Job No. 1803.5 dated 04/28/10), Shawsville Magisterial District.

FURTHER, The Chairman is hereby authorized to sign said plat for recordation.

ISSUE/PURPOSE: Approval and authorization for the Chairman to sign Final Plat on behalf of the county.

JUSTIFICATION: The Preserve (Phase 4) at Walnut Creek Subdivision, Lots 14-28, consists of 15 lots located off Houchins Road (SR 758). Public water and sewer will serve all lots. This is a major subdivision and was approved by the Planning Commission on June 9, 2010. See TAB C for Final Plat.

**F. E-911 STREET NAMING**

**1. SUBJECT: E-911 STREET NAME REQUEST**

**R-FY-10-  
REQUEST FOR NEW STREET NAMES  
KNOB CREEK TRAIL  
KNOB FOREST CIRCLE**

WHEREAS, There are two private roads located off Flatwoods Road ( SR 622); and

WHEREAS, The County received a request from property owners that the private roads, both which ends as a cul-de-sac, be named Knob Creek Trail and Knob Forest Circle for emergency and E-911 identification; and

WHEREAS, Knob Creek Trail and Knob Forest Circle complies with the County's Street Name Policy.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that after duly considering said request, the Board hereby approves the use of the name Knob Creek Trail and Knob Forest Circle for private roads located off Flatwoods Road.

ISSUE/PURPOSE: Approve the names of Knob Creek Trail and Knob Forest Circle for private roads located off Flatwoods Road.

JUSTIFICATION: The Planning Department received a request from property owners who reside on private roads located off Flatwoods Road that these roads be named Knob Creek Trail and Knob Forest Circle for emergency and E-911 identification and location purposes. Both roads end in a cul-de-sac.

According to the County's Street Naming Policy, when persons wishing to name a street with less than three residences/businesses on it must provide the following:

1. Petition signed by all residences on the street.
2. The cost of the street signs and mapping changes shall be borne by the persons requesting the change.

The Planning Department received a check to cover the cost of erecting the street signs and making mapping changes. See TAB **D** for a copy of the petition and map.

**G. APPOINTMENTS**

- 1. SUBJECT: MONTGOMERY REGIONAL ECONOMIC DEVELOPMENT COMMISSION – CHAMBER OF COMMERCE REPRESENTATIVE**

**R-FY-10-  
MONTGOMERY REGIONAL ECONOMIC DEVELOPMENT COMMISSION-  
CHAMBER OF COMMERCE REPRESENTATIVE**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Eric Johnsen** as a Montgomery County Chamber of Commerce representative to the **Montgomery Regional Economic Development Commission** effective June 15, 2010 and expiring June 14, 2013.

ISSUE/PURPOSE: Appoint a Chamber of Commerce representative to the Montgomery Regional Economic Development Commission.

JUSTIFICATION: See TAB **E** for copy of a letter from Catherine Sutton, Executive Director of the Chamber of Commerce, recommending Eric Johnsen's appointment.

- 2. SUBJECT: NEW RIVER VALLEY COMMUNITY SERVICES BOARD – REAPPOINTMENT**

**R-FY-10-  
NEW RIVER VALLEY COMMUNITY SERVICES BOARD  
REAPPOINTMENT**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Kathy Woolwine Hubbard** to the **New River Valley Community Services Board** effective July 1, 2010 and expiring June 30, 2013.

3.     **SUBJECT:                                 NEW RIVER VALLEY COMMUNITY  
  SERVICES BOARD – REAPPOINTMENT**

**R-FY-10-  
NEW RIVER VALLEY COMMUNITY SERVICES BOARD  
REAPPOINTMENT**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **William Greenberg** to the **New River Valley Community Services Board** effective July 1, 2010 and expiring June 30, 2013.

JUSTIFICATION:                     At their April 26, 2010 meeting, the BoS directed staff to a send letter to Ms. Hubbard and Mr. Greenberg and ask if they were interested in reappointment to the NRV Community Services Board. Both wish to be reappointed.

4.     **SUBJECT:                                 MONTGOMERY-FLOYD REGIONAL  
  LIBRARY BOARD – REAPPOINTMENT**

**R-FY-10-  
MONTGOMERY-FLOYD REGIONAL LIBRARY BOARD  
REAPPOINTMENT**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Karen N. Frederick** to the **Montgomery-Floyd Regional Library Board** effective July 1, 2010 and expiring June 30, 2014.

JUSTIFICATION:                     At their May 10, 2010 meeting, the BoS directed staff to send a letter to Ms. Frederick and ask her if she was interested in reappointment. Ms. Frederick responded that she wished to be reappointed.

5.       **SUBJECT:                               ECONOMIC DEVELOPMENT AUTHORITY  
  REAPPOINTMENT**

**R-FY-10-  
ECONOMIC DEVELOPMENT AUTHORITY  
REAPPOINTMENT**

          BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Thomas I. Roberts** to the **Economic Development Authority** effective July 1, 2010 and expiring June 30, 2014.

JUSTIFICATION:                               At their May 10, 2010 meeting, the BoS instructed staff to send a letter to Mr. Roberts and ask if he was interested in reappointment. Mr. Roberts responded that he wishes to be reappointed.